

REMARKS

The claims of the present application have been subjected to a Unity of Invention Requirement as follows:

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| Group I | -- | claims 31-39 and 61-63 directed to method of treating disease; |
| Group II | -- | claims 40-48 directed to identifying agents; |
| Group III | -- | claims 49-54 directed to method of diagnosis; |
| Group IV | -- | claims 55-60 directed to method of determining effective doses; |
- and
- | | | |
|---------|----|-------------------------------------------------------------------|
| Group V | -- | claims 64-66 directed to method of binding agents to polypeptide. |
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It is asserted in the Requirement that the subject matter in each of the above-identified groups does not relate to a single general inventive concept because of the absence of a corresponding special technical feature among these groups.

Responsive to the Requirement, Applicant hereby elects the subject matter of Group I, i.e. claims 31-39 and 61-63. This election is made with traverse. First, it is respectfully submitted that the subject matter groups above indeed do share a special technical feature, since all of these groups involve the use of the polypeptide or nucleic acid of DMPT1. The use of this polypeptide or nucleic acid as recited in the embodiments of the present claims was not previously disclosed before the present application was filed. In addition, it is submitted that there is no undue burden placed on the Examiner to examine the different use embodiments recited in the present claims, since these embodiments all involve the use of the same polypeptide or nucleic acid subject matter. Consequently, it is requested that the above Requirement be withdrawn.


If any questions arise in the above matters, please contact Applicant's representative, Andrew D. Meikle (Reg. No. 32,868), in the Washington Metropolitan Area at the phone number listed below.

- ☐ Attached is a Petition for Extension of Time.
- ☐ Attached hereto is the fee transmittal listing the required fees.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated: November 6, 2008

Respectfully submitted,

By 
Andrew D. Meikle
Registration No.: 32,868
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant